

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE 1 OF 1
2. AMENDMENT/MODIFICATION NO. 0003	3. EFFECTIVE DATE 2 September 2003	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY CODE Department of the Army Corps of Engineers, Los Angeles District P. O. Box 532711 Los Angeles, CA 90053-2325		7. ADMINISTERED BY (If other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)			(<input checked="" type="checkbox"/>) 9A. AMENDMENT OF SOLICITATION NO. DACW09-03-B-0006	
			(<input checked="" type="checkbox"/>) 9B. DATED (SEE ITEM 11) 15 July 2003	
			10A. MODIFICATION OF CONTRACTS/ORDER NO.	
			10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 0 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(<input checked="" type="checkbox"/>) A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Murrieta Creek Phase I, Santa Margarita River Watershed, Riverside, CA

Replace Section 01355 in its entirety.

Replace Drawing Sheets No. 20 and 21. Replace Drawing Sheet No. 1. Replace Drawing Sheet No. 22.

The time and date for receipt remains the same.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

INSTRUCTIONS

Instructions for items other than those that are self-explanatory, are as follows:

(a) Item 1 (Contract ID Code). Insert the contract type identification code that appears in the title block of the contract being modified.

(b) Item 3 (Effective date).

(1) For a solicitation amendment, change order, or administrative change, the effective date shall be the issue date of the amendment, change order, or administrative change.

(2) For a supplemental agreement, the effective date shall be the date agreed to by the contracting parties.

(3) For a modification issued as an initial or confirming notice of termination for the convenience of the Government, the effective date and the modification number of the confirming notice shall be the same as the effective date and modification number of the initial notice.

(4) For a modification converting a termination for default to a termination for the convenience of the Government, the effective date shall be the same as the effective date of the termination for default.

(5) For a modification confirming the contracting officer's determination of the amount due in settlement of a contract termination, the effective date shall be the same as the effective date of the initial decision.

(c) Item 6 (Issued By). Insert the name and address of the issuing office. If applicable, insert the appropriate issuing office code in the code block.

(d) Item 8 (Name and Address of Contractor). For modifications to a contract or order, enter the contractor's name, address, and code as shown in the original contract or order, unless changed by this or a previous modification.

(e) Items 9, (Amendment of Solicitation No.-Dated), and 10, (Modification of Contract/Order No.-Dated). Check the appropriate box and in the corresponding blanks insert the number and date of the original solicitation, contract, or order.

(f) Item 12 (Accounting and Appropriation Data). When appropriate, indicate the impact of the modification on each affected accounting classification by inserting one of the following entries:

(1) Accounting classification
Net increase \$

(2) Accounting classification
Net decrease \$

NOTE: If there are changes to multiple accounting classifications that cannot be placed in block 12, insert an asterisk and the words "See continuation sheet".

(g) Item 13. Check the appropriate box to indicate the type of modification. Insert in the corresponding blank the authority under which the modification is issued. Check whether or not contractor must sign this document. (See FAR 43.103.)

(h) Item 14 (Description of Amendment/Modification).

(1) Organize amendments or modifications under the appropriate Uniform Contract Format (UCF) section headings from the applicable solicitation or contract. The UCF table of contents, however, shall not be set forth in this document.

(2) Indicate the impact of the modification on the overall total contract price by inserting one of the following entries:

(i) Total contract price increased by \$

(ii) Total contract price decreased by \$

(iii) Total contract price unchanged.

(3) State reason for modification.

(4) When removing, reinstating, or adding funds, identify the contract items and accounting classifications.

(5) When the SF 30 is used to reflect a determination by the contracting officer of the amount due in settlement of a contract terminated for the convenience of the Government, the entry in Item 14 of the modification may be limited to -

(i) A reference to the letter determination; and

(ii) A statement of the net amount determined to be due in settlement of the contract.

(6) Include subject matter or short title of solicitation/contract where feasible.

(i) Item 16B. The contracting officer's signature is not required on solicitation amendments. The contracting officer's signature is normally affixed last on supplemental agreements.

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SECTION 01355

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SECTION 01355

ENVIRONMENTAL PROTECTION

PART 1 GENERAL

Contractor shall coordinate all environmental concerns to the Contracting Officer.

1.1 REFERENCES

The publications listed below form a part of this specification to the extent referenced. The publications are referred to in the text by basic designation only.

ASTM INTERNATIONAL (ASTM)

ASTM D 4439	(2001) Geosynthetics
ASTM D 4491	(1999a) Water Permeability of Geotextiles by Permittivity
ASTM D 4533	(1991; R 1996) Trapezoid Tearing Strength of Geotextiles
ASTM D 4632	(1991; R 1996) Grab Breaking Load and Elongation of Geotextiles
ASTM D 4751	(1999a) Determining Apparent Opening Size of a Geotextile
ASTM D 4873	(2001) Identification, Storage, and Handling of Geosynthetic Rolls and Samples

U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

40 CFR 68	Chemical Accident Prevention Provisions
40 CFR 261	Identification and Listing of Hazardous Waste
40 CFR 279	Standards for the Management of Used Oil
40 CFR 302	Designation, Reportable Quantities, and Notification
40 CFR 355	Emergency Planning and Notification
49 CFR 171 - 178	Hazardous Materials Regulations

U.S. ARMY CORPS OF ENGINEERS (USACE)

EM 385-1-1

(1996) U.S. Army Corps of Engineers Safety
and Health Requirements Manual

1.2 DEFINITIONS

1.2.1 Environmental Pollution and Damage

For the purpose of this specification, environmental pollution and damage is defined as the presence of chemical, physical, or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances of importance to human life; affect other species of importance to man; or degrade the utility of the environment for but not limited to aesthetic, cultural and/or historical purposes.

1.2.2 Environmental Protection

Environmental protection is the prevention/control of pollution and habitat disruption that may occur to the environment during construction. The control of environmental pollution and damage requires consideration of land, water, and air; biological and cultural resources; and includes management of visual aesthetics; noise; solid, chemical, gaseous, and liquid waste; radiant energy and radioactive material as well as other pollutants.

1.3 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are for information only. When used, a designation following the "G" designation identifies the office that will review the submittal for the Government. The "RE" designates that the Resident Office will review the submittal for the Government. Submit the following in accordance with Section 01330, SUBMITTAL PROCEDURES:

SD-01 Preconstruction Submittals

Environmental Protection Plan; G, RE.

The environmental protection plan.

Species that require specific attention.

Species that require specific attention along with measures for their protection will be listed for all workers by the Contractor prior to beginning of construction operations.

SD-07 Certificates

Mill Certificate or Affidavit.

Certificate attesting that the Contractor has met all specified requirements.

1.4 ENVIRONMENTAL PROTECTION REQUIREMENTS

The requirements within this specification are for providing and maintaining environmental protection during the construction contract and do not relieve the Contractor from compliance with all Federal, State, and local regulations pertaining to the environment, including but not limited to water, air, and noise pollution; biological resources, transportation, recreation, public services and utilities; geology, seismicity and soils; hazardous materials and waste management.

1.5 ENVIRONMENTAL PROTECTION PLAN

Prior to commencing construction activities or delivery of materials to the site, the Contractor shall submit an Environmental Protection Plan covering all mitigation measures for the protection of the environment for review and approval by the Contracting Officer. Prior to submittal of the Environmental Protection Plan, the Contractor shall meet with the Contracting Officer for the purpose of discussing the implementation of the initial Environmental Protection Plan; possible subsequent additions and revisions to the plan including any reporting requirements; and methods for administration of the Contractor's Environmental Plans. The Contractor will meet with representatives of the Contracting Officer to develop a mutual understanding relative to compliance with this provision and administration of the environmental protection program. Construction and/or associated activities thereof will not commence until the environmental protection plan is approved by the Government. Approval of the Contractor's plan will not relieve the Contractor of his responsibility for adequate and continuous control of pollutants and other environmental protection measures. The purpose of the Environmental Protection Plan is to present a comprehensive overview of known or potential environmental issues which the Contractor must address during construction. The Environmental Protection Plan shall be current and maintained onsite by the Contractor. The Government reserves the right to halt construction operations at the expense of the Contractor should the Contractor be found in non-compliance with the environmental protection plan approved by the Contracting Officer. Construction operations would resume when compliance is met. The environmental protection plan will include but not be limited to the following:

1.5.1 Contents

The environmental protection plan shall include, but shall not be limited to, the following:

- a. Name(s) of person(s) within the Contractor's organization who is(are) responsible for ensuring adherence to the Environmental Protection Plan.
- b. Name(s) and qualifications of person(s) responsible for manifesting hazardous waste to be removed from the site, if applicable.
- c. Name(s) and qualifications of person(s) responsible for training the Contractor's environmental protection personnel.

- d. Description of the Contractor's environmental protection personnel training program.
- e. An erosion and sediment control plan which identifies the type and location of the erosion and sediment controls to be provided. The plan shall include monitoring and reporting requirements to assure that the control measures are in compliance with the erosion and sediment control plan, Federal, State, and local laws and regulations. The Contractor's Storm Water Pollution Prevention Plan (SWPPP) may be substituted for the erosion and sediment control plan.
- f. Drawings showing locations of proposed temporary excavations or embankments for haul roads, stream crossings, material storage areas, structures, sanitary facilities, and stockpiles of excess or spoil materials including methods to control runoff and to contain materials on the site.
- g. Traffic control plans including measures to reduce erosion of temporary roadbeds by construction traffic, especially during wet weather. Plan shall include measures to minimize the amount of mud transported onto paved public roads by vehicles or runoff.
- h. Work area plan showing the proposed activity in each portion of the area and identifying the areas of limited use or nonuse. Plan should include measures for marking the limits of use areas including methods for protection of features to be preserved within authorized work areas.
- i. Drawing showing the location of borrow areas, if utilized.
- j. The Spill Control plan shall include the procedures, instructions, and reports to be used in the event of an unforeseen spill of a substance regulated by 40 CFR 68, 40 CFR 302, 40 CFR 355, and/or regulated under State or Local laws and regulations. The Spill Control Plan supplements the requirements of EM 385-1-1. This plan shall include as a minimum:
 - 1. The name of the individual who will report any spills or hazardous substance releases and who will follow up with complete documentation. This individual shall immediately notify the Contracting Officer and the local Fire Department in addition to the legally required Federal, State, and local reporting channels (including the National Response Center 1-800-424-8802) if a reportable quantity is released to the environment. The plan shall contain a list of the required reporting channels and telephone numbers.
 - 2. The name and qualifications of the individual who will be responsible for implementing and supervising the containment and cleanup.
 - 3. Training requirements for Contractor's personnel and methods

of accomplishing the training.

4. A list of materials and equipment to be immediately available at the job site, tailored to cleanup work of the potential hazard(s) identified.

5. The names and locations of suppliers of containment materials and locations of additional fuel oil recovery, cleanup, restoration, and material-placement equipment available in case of an unforeseen spill emergency.

6. The methods and procedures to be used for expeditious contaminant cleanup.

- k. A non-hazardous solid waste disposal plan identifying methods and locations for solid waste disposal including clearing debris. The plan shall include schedules for disposal. The Contractor shall identify any subcontractors responsible for the transportation and disposal of solid waste. Licenses or permits shall be submitted for solid waste disposal sites that are not a commercial operating facility. Evidence of the disposal facility's acceptance of the solid waste shall be attached to this plan during the construction. The Contractor shall attach a copy of each of the Non-hazardous Solid Waste Diversion Reports to the disposal plan. The report shall be submitted on the first working day after the first quarter that non-hazardous solid waste has been disposed and/or diverted and shall be for the previous quarter (e.g. the first working day of January, April, July, and October). The report shall indicate the total amount of waste generated and total amount of waste diverted in cubic yards or tons along with the percent that was diverted. The Contractor shall monitor construction activities to prevent pollution of surface and ground waters. Toxic or hazardous chemicals shall not be applied to soil or vegetation unless otherwise indicated. All water areas affected by construction activities shall be monitored by the Contractor in addition to periodic monitoring by the U.S. Army Corps of Engineers Los Angeles District. For construction activities immediately adjacent to impaired surface waters, the Contractor shall be capable of quantifying sediment or pollutant loading to that surface water when required by State or Federally-issued Clean Water Act permits.
- l. A recycling and solid waste minimization plan with a list of measures to reduce consumption of energy and natural resources. The plan shall detail the Contractor's actions to comply with and to participate in Federal, State, Regional, and local government sponsored recycling programs to reduce the volume of solid waste at the source.
- m. An air pollution control plan detailing provisions to assure that dust, debris, materials, trash, etc., do not become air borne and travel off the project site.
- n. A contaminant prevention plan that: identifies potentially

hazardous substances to be used on the job site; identifies the intended actions to prevent introduction of such materials into the air, water, or ground; and details provisions for compliance with Federal, State, and local laws and regulations for storage and handling of these materials. In accordance with EM 385-1-1, a copy of the Material Safety Data Sheets (MSDS) and the maximum quantity of each hazardous material to be on site at any given time shall be included in the contaminant prevention plan. As new hazardous materials are brought on site or removed from the site, the plan shall be updated.

- o. A waste water management plan that identifies the methods and procedures for management and/or discharge of waste waters which are directly derived from construction activities, such as concrete curing water, clean-up water, dewatering of ground water, disinfection water, hydrostatic test water, and water used in flushing of lines. Waste waters directly derived from construction activities will not be allowed to enter water areas. These waste waters will be collected and placed in retention ponds where the suspended materials can be settled out or the water evaporated in order to separate the pollutants from the water. If a settling/retention pond is required, the plan shall include the design of the pond including drawings, removal plan, and testing requirements for possible pollutants. If land application will be the method of disposal for the waste water, the plan shall include a sketch showing the location for land application along with a description of the pretreatment methods to be implemented. If surface discharge will be the method of disposal, a copy of the permit and associated documents shall be included as an attachment prior to discharging the waste water. If disposal is to a sanitary sewer, the plan shall include documentation that the Waste Water Treatment Plant Operator has approved the flow rate, volume, and type of discharge.
- p. A historical, archaeological, cultural resources biological resources and wetlands plan that defines procedures for identifying and protecting historical, archaeological, cultural resources, biological resources and wetlands known to be on the project site: and/or identifies procedures to be followed if historical archaeological, cultural resources, biological resources and wetlands not previously known to be onsite or in the area are discovered during construction. The plan shall include methods to assure the protection of known or discovered resources and shall identify lines of communication between Contractor personnel and the Contracting Officer.

1.5.2 Appendix

Copies of all environmental permits, permit application packages, approvals to construct, notifications, certifications, reports, and termination documents shall be attached, as an appendix, to the Environmental Protection Plan.

1.6 PROTECTION OF EXISTING FEATURES

This paragraph supplements the Contract Clause PROTECTION OF EXISTING VEGETATION, STRUCTURES, EQUIPMENT, UTILITIES, AND IMPROVEMENTS. Prior to start of any onsite construction activities, the Contractor and the Contracting Officer shall make a joint condition survey. Immediately following the survey, the Contractor shall prepare a brief report including a plan describing the features requiring protection under the provisions of the Contract Clauses, which are not specifically identified on the drawings as environmental features requiring protection along with the condition of trees, shrubs and grassed areas immediately adjacent to the site of work and adjacent to the Contractor's assigned storage area and access route(s), as applicable. This survey report shall be signed by both the Contractor and the Contracting Officer upon mutual agreement as to its accuracy and completeness. The Contractor shall protect those environmental features included in the survey report and any indicated on the drawings, regardless of interference which their preservation may cause to the Contractor's work under the contract.

1.7 ENVIRONMENTAL ASSESSMENT OF CONTRACT DEVIATIONS

Any deviations, requested by the Contractor, from the drawings, plans and specifications which may have an environmental impact will be subject to approval by the Contracting Officer and may require an extended review, processing, and approval time. The Contracting Officer reserves the right to disapprove alternate methods, even if they are more cost effective, if the Contracting Officer determines that the proposed alternate method will have an adverse environmental impact.

1.8 NOTIFICATION

The Contracting Officer will notify the Contractor in writing of any observed noncompliance with Federal, State or local environmental laws or regulations, permits, and other elements of the Contractor's Environmental Protection plan. The Contractor shall, after receipt of such notice, inform the Contracting Officer of the proposed corrective action and take such action when approved by the Contracting Officer. The Contracting Officer may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No time extensions shall be granted or equitable adjustments allowed to the Contractor for any such suspensions. This is in addition to any other actions the Contracting Officer may take under the contract, or in accordance with the Federal Acquisition Regulation or Federal Law.

PART 2 PRODUCTS

2.1 COMPONENTS FOR SILT FENCES

2.1.1 Filter Fabric

The geotextile shall comply with the requirements of ASTM D 4439, and shall consist of polymeric filaments which are formed into a stable network such that filaments retain their relative positions. The filament shall consist of a long-chain synthetic polymer composed of at least 85 percent by weight of ester, propylene, or amide, and shall contain stabilizers and/or

inhibitors added to the base plastic to make the filaments resistance to deterioration due to ultraviolet and heat exposure. Synthetic filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of six months of expected usable construction life at a temperature range of 0 to 120 degrees F. The filter fabric shall meet the following requirements:

FILTER FABRIC FOR SILT SCREEN FENCE

PHYSICAL PROPERTY	TEST PROCEDURE	STRENGTH REQUIREMENT
Grab Tensile	ASTM D 4632	100 lbs. min.
Elongation (%)		30 % max.
Trapezoid Tear	ASTM D 4533	55 lbs. min.
Permittivity	ASTM D 4491	0.2 sec-1
AOS (U.S. Std Sieve)	ASTM D 4751	20-100

2.1.2 Silt Fence Stakes and Posts

The Contractor may use either wooden stakes or steel posts for fence construction. Wooden stakes utilized for silt fence construction, shall have a minimum cross section of 2 inches by 2 inches when oak is used and 4 inches by 4 inches when pine is used, and shall have a minimum length of 5 feet. Steel posts (standard "U" or "T" section) utilized for silt fence construction, shall have a minimum weight of 1.33 pounds per linear foot and a minimum length of 5 feet.

2.1.3 Mill Certificate or Affidavit

A mill certificate or affidavit shall be provided attesting that the fabric and factory seams meet chemical, physical, and manufacturing requirements specified above. The mill certificate or affidavit shall specify the actual Minimum Average Roll Values and shall identify the fabric supplied by roll identification numbers. The Contractor shall submit a mill certificate or affidavit signed by a legally authorized official from the company manufacturing the filter fabric.

2.1.4 Identification Storage and Handling

Filter fabric shall be identified, stored and handled in accordance with ASTM D 4873.

2.2 COMPONENTS FOR STRAW BALES

The straw in the bales shall be stalks from oats, wheat, rye, barley, rice, or from grasses such as byhalia, bermuda, etc., furnished in air dry condition. The bales shall have a standard cross section of 14 inches by 18 inches. All bales shall be either wire-bound or string-tied. The Contractor may use either wooden stakes or steel posts to secure the straw bales to the ground. Wooden stakes utilized for this purpose, shall have a minimum dimensions of 2 inches x 2 inches in cross section and shall have a

minimum length of 3 feet. Steel posts (standard "U" or "T" section) utilized for securing straw bales, shall have a minimum weight of 1.33 pounds per linear foot and a minimum length of 3 feet.

PART 3 EXECUTION

3.1 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES), SWPPP AND NOI

A) In accordance with the United States National Pollution Discharge Elimination System (NPDES) Program / Statewide General Permit, the Contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with this Section and at least four weeks prior to the start of construction activities consisting of soil disturbing activities, the Contractor shall file a Notice of Intent with the site/vicinity map and appropriate fee to obtain coverage under the Statewide General Permit. The completed NOI form, site/vicinity map and appropriate fee must be mailed to the State Water Resources Control Board (SWRCB) at the following address:

State Water Resources Control Board
Division of Water Quality
ATTN: Storm Water Permit Unit
P.O. Box 1977
Sacramento, California 95812-1977
ph (916) 341-5536/5537
fax (916) 341-5543
internet address: <http://www.swrcb.ca.gov/>

Overnight Mailing Address:

State Water Resources Control Board
Division of Water Quality
ATTN: Storm Water, 15th Floor
1001 I Street
Sacramento, California 95814

B) The NPDES / General Permit requires that a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and maintained on-site throughout the construction period. The processing of the NOI for the NPDES permit will require a minimum of 30 days. Construction work consisting of soil disturbing activities shall not begin without the SWRCB's receipt notification of the NOI.

C) Copies of the NOI forms, the site/vicinity map, and the SWRCB's receipt notification shall be provided to the U.S. Army Corps of Engineers Resident Office, and the Contractor shall maintain a copy at the jobsite throughout the contract duration.

3.1.1 Storm Water Pollution Prevention Plan (SWPPP)

The Contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP), including Best Management Practices (BMPs) and a detailed sediment erosion control, in accordance with this Section and provide a copy of the SWPPP, and any modifications to the SWPPP, to the State Water Resources Control Board, the San Diego Regional Water Quality Control Board, as well

as concerned resources agencies, such as U. S. Fish and Wildlife Service, California Department of Fish and Game. A copy of the SWPPP, and any modifications to the SWPPP, shall be maintained at the jobsite throughout the contract duration. A copy of the NOI shall be provided to the San Diego RWQCB. The Contractor shall follow conditions identified in the NPDES permit/SWPPP to eliminate discharge of pollutants within the waters of the United States.

The San Diego Regional Water Quality Control Board address is:

San Diego Regional Water Quality Control Board
9174 Sky Park Court
Suite 100
San Diego, California 92123-4340
ph) (858 467-2952
fax (858) 571-6972

3.1.2 Modifications to SWPPP

If the SWRCB or RWQCB requires modifications prior to or during the construction phase, the plan(s) shall include the use of settling basins, hay bales, and silt fences (or other appropriate measures) for any surface water diversion and groundwater (subsurface water) dewatering activities within the project site or work within any flowing streams. This plan shall also include stormwater pollution prevention measures specific to this project, such as protection of exposed slopes/banks, access routes, and temporary onsite stockpiles of excavated materials. A final water diversion plan, including structure configuration, location, construction materials, equipment, operation procedures, erosion and sediment control measures shall be included.

3.2 SECTION 401 WATER QUALITY CERTIFICATION

Riverside County, California has obtained a Section 401 Water Quality Certification (WQC) permit from the California Regional Water Quality Control Board. A copy of the Section 401 WQC permit can be obtained from the Riverside County's Environmental Coordinator Zully C. Smith at 909-955-1233. Pertinent conditions applicable to this contract are identified are summarized below.

- a. All construction debris shall be removed from the Murrieta Creek channel as often as necessary to prevent material from being washed downstream.
- b. No construction activities shall take place during rain events, except under emergency conditions or to repair sediment and erosion control measures.
- c. No runoff from equipment repair and maintenance activities shall be discharged into Murrieta Creek.
- d. Trash and Debris accumulated in construction areas shall be removed at the close of each working day

- e. No waste material from construction activities shall be discharged into the waters of the State
- f. Refueling and maintenance of equipment and vehicles shall be prohibited within 50 feet of Murrieta Creek and its tributaries.
- g. During construction there shall be no net increase in sediment from the site. The contractor shall establish a water quality monitoring program to measure the sediment above and below the construction site. The sediment measured in the water below the construction site be no more than 5% greater than the total sediment from the incoming water sources. If the sediment exceeds this requirement, work stoppage will result and appropriate sediment measures shall be installed by the Contractor. Water quality monitoring shall occur after every significant rainfall and the results shall be immediately reported to the Contracting Officer who will be required to forward the information to the Water Quality Board within 5 working days of the samplings.
- h. Hydroseed used as temporary erosion control shall consist of native species, and hay bales or wattles used shall be sterile certified.
- i. Prior to any construction activities that occur between March 15 and September 15, the Contracting Officer will arrange for a USFWS-protocol survey for the least bell's vireo and the southwestern willow flycatcher. If any are found, the Contracting Officer will notify the Regional Board to determine the habitat area and the contractor shall keep all construction activity outside the habitat area unless activities are approved by the USFWS.
- j. A qualified USACE biologist provided by the USACE will be on site to monitor the first month of construction and will perform regular site visits thereafter. The biologist will instruct the Contracting Officer to stop construction and correct any violations of the environmental requirements and commitments.
- k. Discharge prohibitions: 1. The discharge of pollutants or dredged or fill material into waters of the United States except as authorized by an NPDES permit is prohibited. 2. The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the discharger is prohibited, unless the discharge is authorized by the Regional Board. 3. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner which may permit its being transported into the waters, is prohibited. 4. The discharge of waste into a natural or excavated site below historic water levels is prohibited. 5. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or discoloration in waters of the state or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.

3.3 1601 STREAMBED ALTERATION AGREEMENT

Riverside County, California has obtained a 1601 STREAMBED ALTERATION AGREEMENT with the State of California Department of Fish and Game. A

copy of the 1601 may be obtained from the Riverside County's Environmental Coordinator Zully C. Smith at 909-955-1233. Pertinent conditions applicable to this contract that are not already defined covered under other parts of this specification are summarized below. Mitigation requirements from the agreement have been incorporated into the landscape draings and associated landscape specs. Parts of the agreement refer to the operations and maintenance that will be the responsibility of Riverside County and are not pertinent to this contract.

a. The Contractor shall confine all activities to areas defined by the drawings and specifications. Prior to commencing construction activities, the Contractor shall mark or fence the areas that are not to be disturbed under this contract. Except in areas indicated on the drawings or specified to be cleared, the Contractor shall not remove, cut, deface, injure, or destroy land resources including trees, shrubs, vines, grasses, topsoil, and land forms without approval. No ropes, cables, or guys shall be fastened to or attached to any trees for anchorage unless specifically authorized. Trees, shrubs, vines, grasses, land forms and other landscape features indicated and defined on the drawings to be preserved shall be clearly identified by marking, fencing, or wrapping with boards, or any other approved techniques. The Contractor shall restore landscape features damaged or destroyed during construction operations outside the limits of the approved work area.

b. When work in a flowing stream is unavoidable, the entire stream flow shall be diverted around the work area by a barrier, temporary culvert, new channel, or other means approved by the Department. Construction of the barrier and/or the new channel shall normally begin in the downstream area and continue in an upstream direction, and the flow shall be diverted only when construction of the diversion is completed. Channel bank or barrier construction shall be adequate to prevent seepage into or from the work area. Channel banks or barriers shall not be made of earth or other substances subject to erosion unless first enclosed by sheet piling, rock riprap, or other protective material. The enclosure and the supportive material shall be removed when the work is completed and removal shall normally proceed from downstream in an upstream direction. The Operator shall obtain all written approvals from the Department prior to initiation of construction activities.

c. Preparations will be made so that runoff from steep, erodible surfaces will be directed into stable areas with minimal erosion potential.

d. Water containing mud, silt, or other pollutants from aggregate washing or other activities will not enter the Creek

e. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the waters of the state. These materials, placed within or where they may enter a stream/lake, by Operator or any party working under contract, or with the permission of the Operator, shall be removed immediately.

f. No broken concrete, asphalt, debris, soil, silt, sand, bark, slash,

sawdust, rubbish, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into, waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

g. No equipment maintenance shall be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter these areas under any flow.

h. Any equipment or vehicles driven and/or operated within or adjacent to the stream/lake shall be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

i. Stationary equipment such as motors, pumps, generators and welders, located within or adjacent to the stream/lake shall be positioned over drips pans.

j. Copies of the 1601 Agreement shall be readily available at work sites at all times during periods of active work and must be presented to any Department personnel, or personnel from another agency with jurisdiction upon demand.

k. The Department reserves the right to enter the project site at any time to ensure compliance with terms/conditions of this Agreement.

3.4 EROSION AND SEDIMENT CONTROL

The Contractor shall be responsible for providing erosion and sediment control measures in accordance with Federal, State, and local laws and regulations. The erosion and sediment controls selected and maintained by the Contractor shall be such that water quality standards are not violated as a result of the Contractor's construction activities. The area of bare soil exposed at any one time by construction operations should be kept to a minimum. The Contractor shall construct or install temporary and permanent erosion and sediment control best management practices (BMPs). BMPs may include, but not be limited to, vegetation cover, stream bank stabilization, slope stabilization, silt fences, construction of terraces, interceptor channels, sediment traps, inlet and outfall protection, diversion channels, and sedimentation basins. The Contractor's best management practices shall also be in accordance with the National Pollutant Discharge Elimination System (NPDES) Storm Water Pollution Prevention Plan (SWPPP). Erosion and sediment controls shall also be provided for the basin disposal site to prevent sediment from entering nearby waters.

3.4.1 Maintenance

The Contractor shall maintain the temporary and permanent vegetation, erosion and sediment control measures, and other protective measures in good and effective operating condition by performing routine inspections to determine condition and effectiveness, by restoration of destroyed

vegetative cover, and by repair of erosion and sediment control measures and other protective measures.

3.4.2 Street Sweeping

At the close of each working day, any materials as a result of construction activities, such as dirt, tracked into the adjacent streets (streets for construction access and hauling of materials) or laying uncontained in the construction areas are to be swept up.

3.5 AIR RESOURCES

Equipment operation and activities or processes performed by the Contractor in accomplishing the specified construction shall be in accordance with the State's rules and all Federal emission and performance laws and standards. The Contractor shall obtain and comply with Air Quality Permits. Ambient Air Quality Standards set by the Environmental Protection Agency shall be maintained. All air areas affected by the construction activities shall be monitored by the Contractor. Monitoring results will be periodically reviewed by the Government to ensure compliance.

Special management techniques as set out below shall be implemented to control air pollution by the construction activities. These techniques supplement the requirements of Federal, State, and local laws and regulations; and the safety requirements under this Contract. If any of the following techniques conflict with the requirements of Federal, State, or local laws or regulations, or safety requirements under this contract, then those requirements shall be followed in lieu of the following.

- a. To reduce fugitive dust, the stockpile material and unpaved roads will be watered as necessary to prevent wind-generated pollution.
- b. When wind speeds exceed 20 miles per hour, excavation and gradient operations may be suspended by the Contracting Officer if it is determined that excessive dust becomes too difficult to control.
- c. Truck speeds on unpaved roads will not exceed 15 miles per hour.
- d. Where feasible, the construction Contractor will use electric power from poles.
- e. Idling time of trucks and other construction equipment will be minimized.
- f. Contractors will perform excavation, grading, materials handling, and hauling of materials in compliance with SCAQMD Rule 403, Fugitive Dust. Specific measures to be included in the specifications will address the maintenance of adequate moisture content in soils to be excavated and transported; the stabilization of exposed graded areas; the cleaning of paved roads to be used as haul roads; paving or alternate treatment of unpaved roads considered for haul roads; and prevention of soil track-out from construction areas onto paved roads. The construction Contractor will be responsible for obtaining applicable air

quality permits.

- g. All trucks hauling materials subject to wind dispersal will be watered and covered.
- h. All disturbed soil areas not subject to revegetation will be stabilized with approved nontoxic soil binders, jute netting, or other methods, as appropriate.

3.5.1 Particulates

Dust particles; aerosols and gaseous by-products from construction activities; and processing and preparation of materials, such as from asphaltic batch plants; shall be controlled at all times, including weekends, holidays and hours when work is not in progress. The Contractor shall maintain excavations, stockpiles, haul roads, permanent and temporary access roads, plant sites, spoil areas, borrow areas (if utilized), and other work areas within or outside the project boundaries free from particulates which would cause the Federal, State, and local air pollution standards to be exceeded or which would cause a hazard or a nuisance. Sprinkling, chemical treatment of an approved type, baghouse, scrubbers, electrostatic precipitators or other methods will be permitted to control particulates in the work area. Sprinkling, to be efficient, must be repeated to keep the disturbed area damp at all times. The Contractor must have sufficient, competent equipment available to accomplish these tasks. Particulate control shall be performed as the work proceeds and whenever a particulate nuisance or hazard occurs. The Contractor shall comply with all State and local visibility regulations.

3.5.1.1 Other Air Pollutants

All construction equipment and trucks shall have their engines kept in a state of tune that will minimize all exhaust pollutants, and shall use fuel of a quality that does not produce excessive amounts of exhaust plumes. Methods to reduce No levels may include the following measures:

- a. Require injection timing retard of 2 degrees on all diesel vehicles where applicable.
- b. Install high-pressure injectors on all vehicles, where feasible.
- c. Use Caterpillar pre-chamber diesel engines or equivalent, and perform proper maintenance and operation.
- d. Electrify equipment, where feasible.
- e. Maintain equipment in tune with manufacturers' specifications, except as otherwise stated above.
- f. Restrict the drilling of construction equipment to 10 minutes.
- g. Install catalytic converters on gasoline-powered equipment.
- h. Substitute gasoline-powered for diesel-powered equipment, where

feasible.

3.5.2 Odors

Odors from construction activities shall be controlled at all times. The odors shall not cause a health hazard and shall be in compliance with State regulations and/or local ordinances.

3.5.3 Sound Intrusions

The Contractor shall keep construction activities under surveillance and control to minimize environmental damage by noise.

3.5.4 Burning

Burning shall be prohibited on the Government premises.

3.6 CHEMICAL MATERIALS MANAGEMENT AND WASTE DISPOSAL

Disposal of wastes shall be as directed below, unless otherwise specified in other sections and/or shown on the drawings.

3.6.1 Solid Wastes

Solid wastes (excluding clearing debris) shall be placed in containers which are emptied on a regular schedule. Handling, storage, and disposal shall be conducted to prevent contamination. Segregation measures shall be employed so that no hazardous or toxic waste will become co-mingled with solid waste. The Contractor shall transport solid waste off site and dispose of it in compliance with Federal, State, and local requirements for solid waste disposal. A Subtitle D RCRA permitted landfill shall be the minimum acceptable off-site solid waste disposal option. The Contractor shall verify that the selected transporters and disposal facilities have the necessary permits and licenses to operate. The Contractor shall comply with Federal, State, and local laws and regulations pertaining to the use of landfill areas.

3.6.1.1 El Sobrante Landfill

At the Contractors option, vegetation, demolition materials from VFW and other buildings, large concrete pieces, rubbish, and trash may be disposed of at the El Sobrante Landfill, 10910 Dawson Road, Corona. The Contractor shall be responsible for all necessary fees and permits that the El Sobrante Landfill requires.

3.6.2 Chemicals and Chemical Wastes

Chemicals shall be dispensed ensuring no spillage to the ground or water. Periodic inspections of dispensing areas to identify leakage and initiate corrective action shall be performed and documented. This documentation will be periodically reviewed by the Government. Chemical waste shall be collected in corrosion resistant, compatible containers. Collection drums shall be monitored and removed to a staging or storage area when contents are within 6 inches of the top. Wastes shall be classified, managed,

stored, and disposed of in accordance with Federal, State, and local laws and regulations.

3.6.3 Contractor Generated Hazardous Wastes/Excess Hazardous Materials

Hazardous wastes are defined in 40 CFR 261, or are as defined by applicable State and local regulations. The Contractor shall take sufficient measures to prevent spillage of hazardous and toxic materials during dispensing. The Contractor shall segregate hazardous waste from other materials and wastes, shall protect it from the weather by placing it in a safe covered location, and shall take precautionary measures such as berming or other appropriate measures against accidental spillage. The Contractor shall be responsible for storage, describing, packaging, labeling, marking, and placarding of hazardous waste and hazardous material in accordance with 49 CFR 171 - 178, State, and local laws and regulations.

The Contractor shall transport Contractor generated hazardous waste off Government property within 60 days in accordance with the Environmental Protection Agency and the Department of Transportation laws and regulations. The Contractor shall dispose of hazardous waste in compliance with Federal, State and local laws and regulations. Spills of hazardous or toxic materials shall be immediately reported to the Contracting Officer. Cleanup and cleanup costs due to spills shall be the Contractor's responsibility. The disposition of Contractor generated hazardous waste and excess hazardous materials are the Contractor's responsibility.

- a. Emergency provisions to contain and clean up unintentional spills will be in place prior to the construction.
- b. Measures will be followed to avoid accidental spills of oil and grease during construction and debris removal operations. If such spills occur, the Contractor will be required clean up the affected area immediately and remove materials from the site.
- c. If a contaminated area is encountered during construction, construction will cease in the vicinity of the contaminated area. The Contractor will perform an assessment to determine the extent and type of contamination. If necessary, the contaminated site will be remediated to minimize the potential for exposure of the public and to allow the project to be constructed safely. All appropriate authorities (including EPA and the Corps) will be notified.
- d. The Contractor will comply with existing regulatory requirements regarding worker safety.

3.6.4 Fuel and Lubricants

Storage, fueling and lubrication of equipment and motor vehicles shall be conducted in a manner that affords the maximum protection against spill and evaporation. Fuel, lubricants and oil shall be managed and stored in accordance with all Federal, State, Regional, and local laws and regulations. Used lubricants and used oil to be discarded shall be stored in marked corrosion-resistant containers and recycled or disposed in accordance with 40 CFR 279, State, and local laws and regulations. Storage

of fuel on the project site shall be accordance with all Federal, State, and local laws and regulations.

3.6.5 Waste Water

Disposal of waste water shall be as specified below.

- a. Waste water from construction activities, such as onsite material processing, concrete curing, foundation and concrete clean-up, water used in concrete trucks, forms, etc. shall not be allowed to enter water ways or to be discharged prior to being treated to remove pollutants. The Contractor shall dispose of the construction related waste water in accordance with all Federal, State, Regional and Local laws and regulations.
- b. For discharge of ground water, the Contractor shall surface discharge in accordance with the requirements of the NPDES or State STORM WATER DISCHARGES FROM CONSTRUCTION SITES permit.
- c. Water generated from the flushing of lines after disinfection or disinfection in conjunction with hydrostatic testing shall be discharged into the sanitary sewer with prior approval and/or notification to the Waste Water Treatment Plant's Operator.

3.7 RECYCLING AND WASTE MINIMIZATION

The Contractor shall participate in State and local government sponsored recycling programs. The Contractor is further encouraged to minimize solid waste generation throughout the duration of the project.

3.8 NON-HAZARDOUS SOLID WASTE DIVERSION REPORT

The Contractor shall maintain an inventory of non-hazardous solid waste diversion and disposal of construction and demolition debris. The Contractor shall submit a report to the Contracting Officer on the first working day after each fiscal year quarter, starting the first quarter that non-hazardous solid waste has been generated. The following shall be included in the report:

- a. Construction and Demolition (C&D) Debris Disposed = _____ in cubic yards or tons, as appropriate.
- b. Construction and Demolition (C&D) Debris Recycled = _____ in cubic yards or tons, as appropriate.
- c. Total C&D Debris Generated = _____ in cubic yards or tons, as appropriate.
- d. Waste Sent to Waste-To-Energy Incineration Plant (This amount should not be included in the recycled amount) = _____ in cubic yards or tons, as appropriate.

3.9 HISTORICAL, ARCHAEOLOGICAL, AND CULTURAL RESOURCES

If during excavation or other construction activities any previously unidentified or unanticipated historical, archaeological, and cultural resources are discovered or found, all activities that may damage or alter such resources shall be temporarily suspended. Resources covered by this paragraph include but are not limited to: any human skeletal remains or burials; artifacts; shell, midden, bone, charcoal, or other deposits; rock or coral alignments, pavings, wall, or other constructed features; and any indication of agricultural or other human activities. Upon such discovery or find, the Contractor shall immediately notify the Contracting Officer so that the appropriate authorities may be notified and a determination made as to their significance and what, if any, special disposition of the finds should be made. The Contractor shall cease all activities that may result in impact to or the destruction of these resources. The Contractor shall secure the area and prevent employees or other persons from trespassing on, removing, or otherwise disturbing such resources.

- a. In the event that previously unknown historic or archeological features or deposits are observed by the contractor during the course of operations, work shall cease in that area, and the construction representative shall be immediately informed.

3.10 BIOLOGICAL RESOURCES

3.10.1 Threatened and Endangered Species Protection

Although no threatened or endangered species were located within the project site, if during construction activities any threatened or endangered species are observed in or near the construction area, such observations shall be reported immediately to the biologist on site, or Contracting Officer if a biologist is not available, so that the appropriate authorities may be notified and determination made as to what special disposition should be made. In no circumstances shall any employee directly handle any endangered species unless it is in imminent danger. The Contractor shall cease all activities that may result in an impact to or the destruction of these resources. The Contractor shall prevent his employees from trespassing on private property, removing, or otherwise disturbing any threatened or endangered species.

Based on the Environmental Impact Statement/Environmental Impact Report (EIS/EIR), September 2000, for the Murrieta Creek Flood Control, Environmental Restoration, and Recreation Project, the Corps has agreed to incorporate protocols to protect the southwestern pond turtle. The southwestern pond turtle is not federally listed as threatened or endangered, but is on the California State Sensitive Species list. To ensure protection, trapping for southwestern pond turtles within all suitable pools within the construction area in the southern portion of the project area shall occur prior to the onset of construction. At least three trapping events will occur to ensure that few or no turtles remain within the impact areas. Turtles captured shall be released downstream of the project area at a location where it would be unlikely for them to return to the project area. The details and methods of turtle relocation shall be determined in consultation with the USFWS. Either the ERB/Ecosystem Planning Section biologist or a contractor biologist supplied by the ERB/Ecosystem Planning Section staff, will conduct the surveys and

trapping in coordination with the ERB/Ecosystem Planning System biologist and USFWS staff. See Section 01200, GENERAL REQUIREMENTS, paragraph BIOLOGICAL RESOURCES for additional information.

3.10.2 Protection of Biological Resources adopted as part of the EIS/EIR (SCH 2000071051, SEPTEMBER 2000)

The Contractor shall keep construction activities under surveillance, management, and control to minimize interference with, disturbance to, and damage of, native vegetation, fish, and wildlife. Species that require specific attention along with measures for their protection will be listed for all workers by the Contractor prior to beginning of construction operations. The Contractor may contact the Ecosystems Planning Section representative from the U.S. Army Corps of Engineers, Ron Lockmann at (213) 452-3847 and/or from the Riverside County Flood Control and Water Conservation District, Zully Smith at (909) 955-1233, for assistance in preparing this list. This list shall be reviewed by the Contracting Officer. The Contractor shall minimize interference with, disturbance to, and damage of wildlife and plants including their habitat. In addition, the Contractor shall adhere to the following guidelines:

- a. The Construction Contractor shall mark the limits of construction prior to ground disturbing activities. These marks will be clearly visible to personnel and heavy equipment operators.
- b. The construction activities will be monitored by the Corps of Engineers.
- c. The Contractor shall prepare and submit a copy of the comprehensive best management practices plan to the Contracting Officer.
- d. The removal of riparian vegetation deemed suitable for nesting will be prohibited during the period of March 15 through July 30. In making this determination, the quality, composition, and patch size will be taken into consideration.
- e. Salvaging plants will be allowed and must meet the requirements of the mitigation plantings as shown on the drawings.
- f. Trapping for turtles within all suitable pools within the construction area in the southern portion of the project area shall occur prior to the onset of construction. See Paragraph THREATENED AND ENDANGERED SPECIES PROTECTION.
- g. Any damage to vegetated areas outside the projects defined limits of grading would require in-kind compensatory mitigation at no additional expense to the government.
- h. No pets shall be allowed within the construction area.

3.11 PREVIOUSLY USED EQUIPMENT

The Contractor shall clean all previously used construction equipment prior

to bringing it onto the project site. The Contractor shall ensure that the equipment is free from soil residuals, egg deposits from plant pests, noxious weeds, and plant seeds. The Contractor shall consult with the USDA jurisdictional office for additional cleaning requirements.

3.12 Maintenance of Pollution Control Facilities

The Contractor shall maintain permanent and temporary pollution control facilities and devices for the duration of the contract or for that length of time construction activities create the particular pollutant.

3.13 TRAINING OF CONTRACTOR PERSONNEL

The Contractor's personnel shall be trained in all phases of environmental protection and pollution control. The Contractor shall conduct environmental protection/pollution control meetings for all Contractor personnel prior to commencing construction activities. Additional meetings shall be conducted for new personnel and when site conditions change. The training and meeting agenda shall include: methods of detecting and avoiding pollution; familiarization with statutory and contractual pollution standards; installation and care of devices, vegetative covers, and instruments required for monitoring purposes to ensure adequate and continuous environmental protection/pollution control; anticipated hazardous or toxic chemicals or wastes, and other regulated contaminants; recognition and protection of archaeological sites, artifacts, wetlands, and endangered species and their habitat that are known to be in the area.

3.14 POST CONSTRUCTION CLEANUP

The Contractor shall clean up all areas used for construction in accordance with Contract Clause: "Cleaning Up". The Contractor shall, unless otherwise instructed in writing by the Contracting Officer, obliterate all signs of temporary construction facilities such as haul roads, work area, structures, foundations of temporary structures, stockpiles of excess or waste materials, and other vestiges of construction prior to final acceptance of the work. The disturbed area shall be graded, filled and the entire area seeded unless otherwise indicated.

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